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September 7, 1994

SEP - 8199

**BY HAND** 

William F. Caton Acting Secretary Federal Communications Commission Room 222 -- Mail Stop 1170 1919 M Street, N.W. Washington, D.C. 20554

Re:

Ex Parte Communication In

GN Docket No. 93-252

Dear Mr. Caton:

Pursuant to Section 1.1206(a)(2) of the Commission's Rules, I am filing the original and one copy of this letter to report an oral <u>ex parte</u> communication in the above referenced proceeding. On Tuesday, September 6, 1994, on behalf of the National Association of Business and Educational Radio (NABER), Donald Vasek of NABER and the undersigned met with Lisa B. Smith, Legal Advisor to Commissioner Andrew C. Barrett.

The discussion at the meeting focussed on the Commission's decision in the referenced docket to suspend the acceptance of new 800 MHz SMR applications (including SMR applications for General Category channels) until new licensing rules are adopted by the Commission. NABER expressed its objections to the Commission's decision. During the meeting NABER presented several diagrams depicting the areas covered by existing FCC waiting lists and the contours of licensed ESMR systems. Copies of those diagrams are attached to this letter.

Please call me if you have any questions regarding this notice.

Respectfully submitted,

Robert L. Hoggarth \

Assistant Director - Government Affairs

cc: Lisa B. Smith

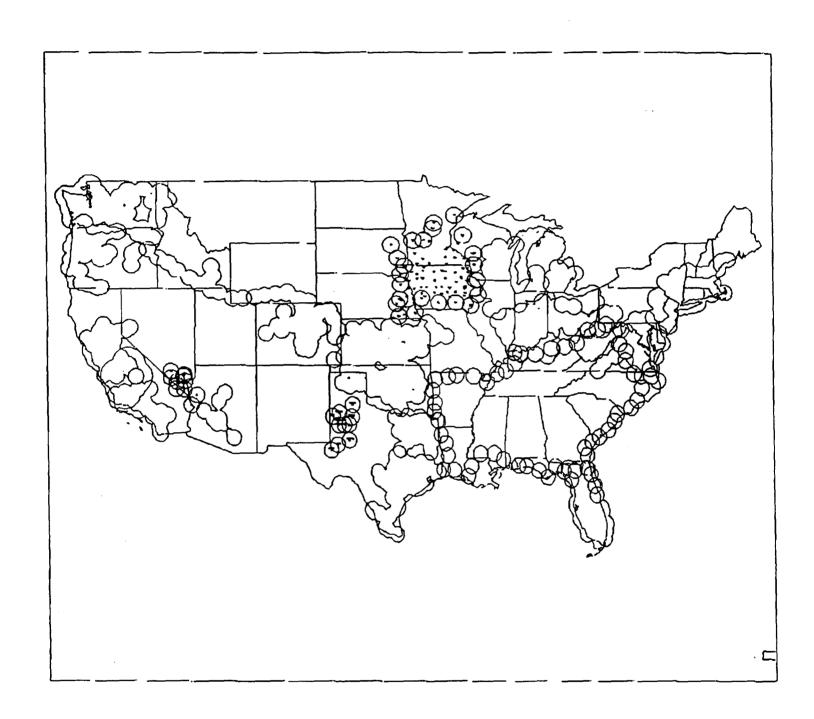
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## Waiting List Areas